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APPLE INC., A CALIFORNIA
CORPORATION

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MARC OPPERMAN, et al.,
v.
PATH, INC., et al.,

Plaintiffs,

Defendants.

Case No.: 13-CV-00453-JST

**NOTICE OF FILING OF PROPOSED
PROTECTIVE ORDER WITH REVISED
PATENT PROSECUTION BAR PROVISION**

THIS DOCUMENT RELATES TO ALL CASES:

Opperman v. Path, Inc., No. 13-cv-00453-JST
Hernandez v. Path, Inc., No. 12-cv-1515-JST
Pirozzi v. Apple, Inc., No. 12-cv-1529-JST
Gutierrez v. Instagram, Inc., No. 12-cv-6550-JST

TO THE COURT AND ALL PARTIES OF RECORD:

PLEASE TAKE NOTICE that Defendants hereby submit a Proposed Protective Order with a revised patent prosecution bar provision applicable only to Defendants, consistent with the Court's October 13, 2013 Order Granting in Part and Denying in Part Request to Include Patent

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1 Prosecution Bar in Protective Order (Dkt. 390). The revised Proposed Protective Order, attached
2 hereto as “Exhibit A,” is identical to the Stipulated Proposed Protective Order previously agreed
3 by all parties (Dkt. 375) and entered by the Court (Dkt. 399), except that Defendants have revised
4 Section 9 (“Prosecution Bar”) and added Section 2.4 (definition of “Defendant”). All Defendants
5 have agreed to the revised language contained in Exhibit A.

6 DATED: October 31, 2013

Respectfully submitted,

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I, Joshua A. Jessen, attest that concurrence in the filing of this document has been obtained from the signatories indicated by a “conformed” signature (/s) in this e-filed document.

4 I declare under penalty of perjury under the laws of the United States of America that the
5 foregoing is true and correct. Executed this 31st day of October, 2013, in Palo Alto, California.

6 DATED: October 31, 2013

Respectfully submitted,

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Joshua A. Jessen
JOSHUA A. JESSEN

Attorneys for Defendant
APPLE INC.

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